THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.18960 of 2006

13.9.2006

Between:

Palla Rama Subbaiah, S/o.P.Subbaiah

... Petitioner

AND

The Sub-Registrar, Kadapa District, Kadapa
And another

... Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.18960 of 2006

ORDER:

The petitioner is statedly purchased the land admeasuring Acs.3.20 cents in survey Nos.401/1 situated at Chinnamachupalli Village of Chennur Mandal in Kadapa District from Sagili Konda Reddy on 29.4.2006. It is alleged that when he along with vendor approached the first respondent and presented the documents for registration, after payment of necessary registration charges, the first respondent refused to register and return the documents on the ground that the Mandal Revenue Officer, Chennur Mandal, instructed not to register the lands in survey No.401/1 as they were classified as 'Government Lands'. Alleging that the action of the first respondent in not registering the document placed before him as illegal and arbitrary, the present writ petition is filed.

Heard learned Counsel for the petitioner and learned Assistant Government Pleader for Revenue (General). It is no doubt true that when a document is presented, it is incumbent on the part of the Registering Officer to examine the same with reference to Sections 31 and 36 of the Registration Act, 1908 (the Act, for brevity) and/or Rules 26 and 58 of the Andhra Pradesh Rules under the Act. This aspect of the matter was considered by my learned brother Hon'ble Sri Justice A.Gopal Reddy in W.P.No.15199 of 2004 dated 01.9.2004.

Following the above, this writ petition is disposed of directing the first respondent or any other Registering Officer, that as and when the petitioner submits the document for registration, the same may be accepted and considered for registration. Be it noted, if for any reason, the document presented is not registered, it is incumbent on the part of the Registering Officer to record and furnish reasons under Section 71 of the Act. No costs.

_____

(**V.V.S.RAO,J**)

September 13, 2006.

YS